

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

EUNICE RANDOLPH, )  
                        )  
                        )  
Plaintiff,         )  
                        )  
                        )  
v.                     )         No. 10 C 7602  
                        )  
                        )  
NORTH STAR CAPITAL ACQUISITION,     )  
LLC, a Minnesota limited liability )  
company, and NATIONAL MANAGEMENT    )  
RECOVERY CORP., a Florida         )  
corporation                 )  
                        )  
Defendants.         )

MEMORANDUM ORDER

This Court's November 30, 2010 memorandum opinion and order dismissed this action for the same reason set out in its earlier dismissal of a like action in Stewart v. The Brachfeld Law Group, Case No. 10 C 7305, brought by the same law firm and asserting the same type of claim. This Court has just vacated its dismissal of the Stewart case, based on an aspect of the letter that counsel sent to his client there,<sup>1</sup> and the same consideration that has prompted the vacatur in Stewart applies here with equal force.

Accordingly this Court sua sponte vacates its dismissal of the Complaint in this action as well. This vacatur (like the vacatur in Stewart is conditional, however: If Randolph's counsel does not direct this Court, on or before December 17, to

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<sup>1</sup> Counsel has also provided a copy of that letter to this Court, in accordance with a directive that was included in the Stewart order of dismissal.

transfer this action to another judicial district, the order of dismissal will be reinstated.



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Milton I. Shadur  
Senior United States District Judge

Date: December 6, 2010